

# Anno Regni GULIELMI III.

R E G I S

*Angliæ, Scotiæ, Franciæ & Hiberniæ,*  
Decimo & Undecimo.

At the Parliament begun at *Westminster* the Four and twentieth Day of *August*, Anno. Dom. 1698. In the Tenth Year of the Reign of our Sovereign Lord *WILLIAM* the Third, by the Grace of God, of *England, Scotland, France and Ireland*, King, Defender of the Faith, &c.

And from thence Continued by several Prorogations to the Sixth Day of *December*, 1698. being the First Session of this present Parliament.



L O N D O N,

Printed by *Charles Bill*, and the Executrix of *Thomas Newcomb*, deceas'd; Printers to the Kings most Excellent Majesty. M DC XCIX.

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Anno Decimo &amp; Undecimo

## Gulielmi III. Regis.

An Act to Enable the Town of *Liverpoole*, in the County Palatine of *Lancaster*, to Build a Church, and Endow the same; and for making the said Town and Liberties thereof a Parish of it self, distinct from *Walton*.



Whereas the Parish of Walton, in the County of Lancaster, is a Parish of large Extent, and hath several Villages therein, amongst which the Town of Liverpoole is one, which by reason of its Conveniency of Situation, being near the Sea, is become a Place of great Trade and Commerce, and very Populous; And although they have had a Parochial Chapel, yet, by reason of Increase of People, the same is not sufficient for them; And the said Town being an Ancient Corporation are desirous to be a Parish of themselves distinct from the Parish of Walton, and at their own Charge to Erect another Church in the said Town, together with a House or Houses for the Rector or Rectors of the said Church and Parochial Chapel: Be it therefore Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual, and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all the said Borough Town, Township and Liberties of Liverpoole, as the same is Butted and

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Bounded by Mer-Stones, which are constantly Repaired every Year by the said Town and Corporation, and as the same hath been usually Perambulated, shall from and after the Four and twentieth Day of June, which shall be in the Year of our Lord, One thousand six hundred ninety nine, for ever, be a distinct Parish of it self, and be called by the name of the Parish of Liverpoole, and be Divided and Exempt from the said Parish of Walton, and from all Dependencies, Offices, Charges and Contributions for or in respect thereof, and from the Cure of the Rector and Vicar of the said Parish of Walton, and their Successors, and also Discharged of all Tythes, Oblations, Obventions, Mortuaries, Easter Books, and other Parochial Duties whatsoever to the same.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful for the Inhabitants of the said Town and Liberty of Liverpoole, to Erect and Build a new Church in some convenient Place, to be by the Mayor and Aldermen for the time being, and such as have been Aldermen or Bayliffs, Deers and the Common Council for the time being of the said Corporation, or the major part of them, provided and agreed upon for that Purpose; And to provide and inclose a Coemeterie, Church Yard or Burying-place about the same, to be also provided and agreed upon for that Purpose in manner aforesaid; And also to provide and agree upon (in manner aforesaid, as near the said Church and Parochial Chapel as may conveniently be) a convenient Place, or Piece, Places or Pieces of Ground, and thereupon Erect and Build a House or Houses, and make a Garden or Gardens for the Rector or Rectors of the said Church and Parochial Chapel.

And be it further Enacted, That the said Church, and the Ground thereunto belonging, to be Inclosed and Used for a Coemeterie or Church Yard, as aforesaid, shall be the Parish Church or Church Yard of the said Parish of Liverpoole; And



And the same is hereby Enacted and Declared to be for ever Separated and Dedicated to the Service of God, and to be Applied to the Use and Behalf of the Inhabitants, from time to time Inhabiting and to Inhabit within the said Town and Liberty; And that there be Two Rectors to have Care of the Souls of the Inhabitants of the Town, and a Perpetual Succession of Rectors there, the one for the said New Church, and the other for the said Parochial Chapel; And that Robert Stith and William Atherton (who have for some Years last Supplied the said Parochial Chapel in all Divine Offices, for the Service of God and Instruction of the Inhabitants in the True Christian Religion) shall be hereby Constituted the First Rectors of the said New Church and Parochial Chapel; And that the said Rectors, and their Successors, Rectors of the said Parish Church and Parochial Chapel, shall be Incorporated, and shall have Capacity and Succession, by the Name of The Rectors of the New Church and Parochial Chapel of Liverpoole; And shall be hereby Enabled to Sue and be Sued by that Name, in all Courts and Places in this Realm, and shall have the Care of the Souls of the Inhabitants within the said Parish, and shall have and Injoy all Tythes, Offerings, Oblations, Obventions and other Ecclesiastical Benefits and Advantages within the said Town and Liberties, as the Rector and Vicar of Walton hath or ought to have had and enjoyed the same; And shall have and Injoy to them and their Successors for ever, the said Messuage or Tenement, Messuages or Tenements for their habitation, and also to Purchase and Take Lands, Tenements and Hereditaments to them, Rectors of the said Parish Church and Parochial Chapel, over and above the Rents, Tenements and Hereditaments hereby Settled on the said Rectors, and their Successors, not exceeding the Yearly Value of Two hundred Pounds, the aforesaid Tythes included: And that

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the Patronage, Advowson, Donation or Presentation, of and to the said Rectory, after the Decease of the said First Rectors, or next Avoidance thereof, shall Appertain and Belong to, and be hereby Vested in the Mayor and Aldermen for the time being, and such as have been Aldermen or Bayliffs Past, and the Common Council for the time being, of the said Corporation of Liverpoole: And in case there shall be any Difference touching the same, the Lord Bishop of Chester to Decide and Appoint which of the Two shall be Chosen.

And be it further Enacted, That the said Rectory, shall be called and esteemed a Medietie, that is to say, Equal betwixt the said Two Rectors that shall Preach at the New Church and Parochial Chapel, for all Parish Dues, Contributions, or other Lands, Houses, or Edifices, to be Purchased, or otherwise Provided, or to be Provided for them.

Provided always, and be it Enacted, That all the Succeeding Rectors of the said Parish Church and Parochial Chapel, except the first Rectors thereof hereby Constituted, shall be Presented, Collated, Instituted and Inducted, as other Rectors, Parsons and Vicars respectively are Accustomed to be; And that it shall and may be Lawful for the said Rectors, and their Successors, Rectors of the said Parish of Liverpoole for the time being, to Grant and Demise such of the Premises, or any Part thereof, as shall belong to the said Rectory (the Rector or Rectors House or Houses, to be set Apart for his or their Habitations, with the Appurtenances excepted) for the Term of One and Twenty Years, upon a Reasonable Improved yearly Rent, without taking any Fine for the same, with the Approbation and Consent of the said Patrons, or any Five of them, whereof the Mayor for the time being to be one; And that the Inhabitants of the said Parish of Liverpoole, shall be from time to time subject to the Customs and Usages for the Choice



of Churchwardens, Overseers of the Poor, Stabbers, Surveyors of the High Ways, Constables, and such other like Parish Officers, and other Parochial Duties within the said Parish, in the manner as the said Inhabitants of Liverpoole have hitherto been, and as if this Act had not been made.

And be it Enacted by the Authority aforesaid, That the Mayor, Aldermen, Bayliffs Peers, and Common Council aforesaid, Rector and Churchwardens, or the major part of them, shall and are hereby Authorized and Required, within Fifty Days after the Four and twentieth Day of June aforesaid, to make or cause to be made an Estimate in Writing, under the Hand or Hands of some sufficient Person or Persons Qualified for the same, of the Charge of Erecting the said new Church, and House or Houses for the Rector or Rectors, and Grounds for the same, and for providing a Clock, or Four or more Bells for the same, and other Works necessary and requisite in and about the said Church, and House or Houses for the Rector or Rectors, and such Sum or Sums of Money as shall appear to them upon such Estimate to be, in their judgment, competent to accomplish the Premises, which Sum shall be as well by such voluntary Contributions as have been or shall be made by any Person or Persons, as by a Sum not exceeding the Sum of Three thousand Pounds, to be Raised as herein after is mentioned, shall be Employed for the Purposes in this Act mentioned.

And be it further Enacted by the Authority aforesaid, That the said Sum not exceeding the Sum of Three thousand Pounds shall be by the said Mayor, Aldermen, Bayliffs Peers, and Common Council, or the major part of them, charged upon all and every of the Inhabitants, Owners and Occupiers of Lands, Tenements and Hereditaments, or any Personal Estate within the said Parish to be by them paid in five Years, by Twenty Quar-

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terly and Successive Payments, on the four most usual Feasts in the Year, that is to say, The Feast of the Annunciation of the Blessed Virgin Mary, The Feast of St. John Baptist, The Feast of St. Michael the Archangel, and the Feast of the Nativity of our Blessed Saviour, the first whereof to commence and become payable to the Churchwardens for the time being (who are hereby authorized to Receive the same, at the first of the Feasts aforesaid, as shall happen after the Assessing and Taring thereof) and the rest to be successively to them also Quarterly paid at the succeeding Feast Days aforesaid, until all the said Twenty Quarterly Payments shall be made and finished; And the said Mayor, Aldermen, Bayliffs Peers, Common Council, Rectors and Churchwardens, or the major part of them, are hereby Required and Authorized, within Sixty Days after the said four and twentieth Day of June, One thousand six hundred ninety nine, to Assess, Tar and Rate the first of the said Quarterly Payments, after a Pound Rate, according to the improved Yearly Values of the Premises or otherwise, as they shall think fit, and in like manner to Assess every other of the said Quarterly Payments, within Ten Days after the time of Payment of the next preceding Quarterly Payment; All which said Assessments shall be Confirmed and Allowed by Two or more Justices of the Peace of and Dwelling within the said Town of Liverpoole, under their Hands and Seals, and be Collected by such Persons, Inhabitants of the said Parish, as the said Mayor, Aldermen, Bayliffs Peers, and Common Council, shall from time to time Appoint.

Provided always, and be it Enacted, That no Tenant or Occupier of any of the said Lands, Tenements and Hereditaments shall be Rated for his or her Personal Estate, in any one Quarterly Payment, at less than a Fifth Part of the Sum Assessed upon the Landlord of the same.

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And be it further Enacted, That if the Estimate made, as aforesaid, shall not be sufficient, With the said Contributions, to Discharge the Building of the Church, and other the Works hereby intended to be done, the said Mayor and Aldermen for the time being, and such as have been Aldermen or Bayliffs Peers, and the Common Council for the time being, or the major part of them, shall and may Charge and Assess any such Additional Sum or Sums upon the said Inhabitants, Owners and Occupiers as shall be needful to Perfect and Accomplish the same, so as such Additional Sum, together with the Sum hereby Charged and Payable by the said Twenty Quarterly Payments, exceed not in the Whole the Sum of Four thousand Pounds.

And be it further Enacted, That it shall and may be Lawful to and for the said Mayor, Aldermen, Common Council, and Rectors, and Churchwardens, in manner aforesaid, yearly upon Tuesday in Easter Week, or within Ten Days after, to make such a Rate or Assessment upon the Lands, Tenements or Hereditaments and Personal Estates within the said Town and Liberties, for the Use of the said Rectors, as shall, with the Tythes due and Payable to them, amount to the Sum of Two hundred Pounds at the least; which said yearly Rate and Assessments shall be Collected and Levied in the same manner, and by the same Rules and Directions, as the said First mentioned Assessment is Directed to be.

And be it Enacted, That the several and respective Tenant or Tenants of all Houses and Lands which shall be Taxed or Rated, by virtue of this Act, for the Purposes aforesaid, are hereby Authorized and Required to Pay such Sum or Sums of Money as shall be Taxed, Rated or Assessed upon such House or Land, or upon them or any of them in respect thereof, and to Deduct out of their Rent so much of the said Rates as in respect of the said Rent of every such

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house and Land the Landlord should or ought to Pay and Bear; And the said Landlords, mediate and immediate, according to their respective Interests, are hereby Required to allow such Deductions and Payments upon the said Receipt of the residue of the Rents: And every Tenant, paying the said Tax or Assessment, shall be Acquitted and Discharged for so much Money as the said Tax or Assessment shall amount unto, as if the same had been actually Paid unto such Person or Persons unto whom his or her Rent should have been due or payable.

And be it further Enacted, That the said Mayor and Aldermen for the time being, and such as have been Aldermen or Bayliffs Peers, and the Common Council for the time being, Rectors and Church-Wardens, shall cause all the Debts, Credits and Contracts made and to be made with or by the Artificers or Workmen imployed or to be imployed for any Work or Building to be made or done in or about the Premises, to be Entred or Registered in one or more Book or Books to be kept for that Purpose, and out of the Moneys Collected and Paid upon the said Quarterly Payments, shall, in the first Place, Pay and Discharge, or cause to be Paid and Discharged, all Debts according to the Dates of Registering the same.

And be it further Enacted, That the Collectors of the said yearly Assessment for the said Rectors, shall Pay the said yearly Sums so to be Collected (over and above all Charges and Deductions for Collecting the same) to the said Rectors for the time being Equally, as aforesaid, upon the said Four usual Feasts or Terms in the Year, by Even and Equal Portions.

And it is hereby Enacted and Ordained, That in case a Default of Payment happen of any of the Sums aforesaid, to be Paid by the said Collectors for the time being, or any of them, to the said Rectors respectively, and lawful Demand thereof being made at the Dwelling-house of  
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any of the said Collectors, That then Two of the next Justices of the Peace within the said Town of Liverpoole, shall and may, upon Complaint of the Party greived in this behalf, give Relief according to the true intent of this Act, and shall and may cause the Collector or Collectors Offending therein, to be Imprisoned till Payment be made for what shall be so behind and unpaid.

Provided always, and be it Enacted, That for the better and more easie Taring and Making of the Assessments for the said Rectors, as aforesaid, the said Churchwardens shall on every Easter Sunday, after the said Four and twentieth Day of June, One thousand six hundred ninety nine, give Notice in the Church by Name to such and so many Substantial House-holders as they shall think fit, to Assemble and Meet with them on the next Tuesday after in the Vestry or Chancel of the said Church, to make the said Assessment; And if Notice be not given, and the Meeting thereupon had by and with the Persons so named, Then every of them Offending therein, which shall not make Proof of a reasonable Cause of his Absence, before some Justice of Peace of the Town of Liverpoole, shall forfeit the Sum of Twenty Shillings to the said Rectors, to be Levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of any One Justice of the Peace, as aforesaid, rendering the Overplus to the Owner thereof, after Deduction of Reasonable Charges for Levying the same.

And be it further Enacted, That if any of the said Assessments shall be Tared or Assessed on any Person, not of Ability to Pay the same, or upon any House that after the making thereof shall become Void, whereby the same cannot be Collected, or that through any wilfulness or deficiency of a Collector, or any mistake or accident whatsoever, there be a Deficiency in one of the said Quarterly or other Payments or Sums of Money payable

able by this Act, the same shall be Reassessed, Collected and Levied in manner as aforesaid.

Provided always, and be it Enacted, That if any Person nominated to be a Collector of or for any Tax or Assessment made by Virtue of this Act, shall Refuse to Accept the Office, or be Negligent in his Duty therein, he shall Forfeit for every Offence the Sum of Forty Shillings to the Use of the Poor of the said Parish, to be Levied by Warrant of any One Justice of the Peace, as aforesaid, under his Hand and Seal, by Distress and Sale of his Goods, to be Taken and Applied to the Use aforesaid. And if any Person shall Refuse or Neglect to Pay the Sum or Sums of Money on him or her Taxed or Assessed by virtue of this Act, it shall and may be Lawful for the said Collectors, by Warrant under the Hands and Seals of any Two Justices of the Peace, to Levy the same by Distress and Sale of the Goods of the Offender, Rendering the Overplus to the Owners thereof, after Deduction of Reasonable Charges for making the same; And if any Person or Persons, so Refusing or Neglecting, as aforesaid, shall Convey away their Goods, whereby the Sum Assessed cannot be Levied, any Two Justices of the Peace, as aforesaid, are hereby Impowered, by Warrant under their Hands and Seals, to Commit the Offender to the Common Goal of the said Town, there to Remain, till the Sum on him or her Taxed, and the Charges for bringing in the same be Satisfied; And if any Difference Arise between Landlord or Tenant, or any other Person, concerning any of the said Quarterly Assessments, or if any Person shall find him or her self Agrieved with any Assessment or Tax made by Virtue of this Act, any Three or more Justices of the Peace aforesaid, shall, and have hereby Power finally to Hear, Settle and Determine the same as they shall think meet.

Provided always, and be it Enacted, That the Lord Bishop of Chester, and his Successors, shall  
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and may at all times hereafter Execute Ecclesiastical Jurisdiction in the said Parish of Liverpoole, as he or they may do in any other Parish within his or their Diocese.

And be it Enacted, That if any Actions, Plaint, or Suit or Information, shall be Commenced or Prosecuted against any Person or Persons, for what he or they shall do in Pursuance or Execution of this Act, such Person and Persons so Sued may Plead the General Issue of Not Guilty, and upon any Issue joyned give this Act, and the Special Matter in Evidence; And if the Plaintiff or Prosecutor shall become Nonsuit, or Suffer a Discontinuance, or if a Verdict Pass against him, the Defendants shall Recover Treble Costs, for which they shall have the like Remedy, as in any Case where Costs by the Law are given to Defendants.

And be it further Enacted by the Authority aforesaid, That the said Mayor, Bayliff, Aldermen and Common Council of the said Corporation of Liverpoole, and their Successors, shall Pay to Richard Richmond Clerk, Rector of the said Parish and Parish Church of Walton, or his Assigns, during the Life of the said Richard Richmond, and continuing Rector of the said Church of Walton, at the Parsonage House of Walton, the yearly Sum of Fifty five Pounds of Good and Lawful Money of England, at and upon the said Feast Days of St. Michael the Archangel, and the Annunciation of the Blessed Virgin Mary, by Even and Equal Portions, for and in full of all manner of Tythes, Oblations, Dues and Demands whatsoever, yearly Growing, Increasing and Arising within the Precincts and Liberties of Liverpoole aforesaid; and which the said Richard Richmond might or ought to have had, as such Rector of Walton, out of and from the said Town and Liberties of Liverpoole; And if it happen the said yearly Rent of Fifty five Pounds, or any Part thereof, to be Behind and Unpaid, by the Space of Ten Days, after either

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of the said Feasts or Days on which the same ought to have been paid, That then it shall and may be Lawful to and for the said Richard Richmond, and his Assigns, into the said Tythes, and every Part and Parcel thereof to Reenter, and the same to Repossess, Injoy and Have again, as in his or their former Estate, any thing in this Act before mentioned to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Mayor, Bayliffs, Aldermen and Common Council of the said Corporation of Liverpoole and their Successors, shall pay to Thomas Marsden, Vicar of the said Parish and Parish Church of Walton, or his Assigns, at the Vicaridge House of Walton, the yearly Sum of Six Pounds Ten Shillings of Good and Lawful Money of England, upon Tuesday in every Easter Week, or within Ten Days after, for and in full of all manner of Small Tythes, Oblations, Dues and Demands whatsoever, yearly Growing, Increasing and Arising within the Precinct and Liberties of Liverpoole aforesaid, and which the said Thomas Marsden might or ought to have had, as such Vicar of Walton, out of and from the said Town and Liberties of Liverpoole; And if it happen the said yearly Rent of Six Pounds Ten Shillings, or any Part thereof to be Behind and Unpaid, by the Space of Ten Days after the same ought to have been paid, That then it shall and may be Lawful, to and for the said Thomas Marsden, and his Assigns, into the said Small Tythes, and every Part and Parcel thereof to Reenter, and the same to Repossess or Injoy and Have again, as in his or their former Estate, any thing in this Act before mentioned to the contrary in any wise notwithstanding.

And be it further Enacted, That the said Robert Stith and William Atherton, and their Successors, shall, from and after the said Four and twentieth Day of June, One thousand six hundred ninety nine, for  
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ever hereafter Pay a Sixth Part of all First-Fruits, Tenth, Procurations, Synodals, and all other Ecclesiastical Charges, that are or shall be Charged upon the said Parish of Walton; and shall from time to time Indemnifie and save harmless the Rector and Vicar of Walton for the time being, and the said Parish of Walton of and from the same.

And forasmuch as Carill Lord Viscount Mulleneux, being Patron of the Parish Church of Walton, it is fitting that the said Lord Viscount Mulleneux should be Answered and Recompenced for and in respect of the Vesting the Presentation of the Rectors to the Parochial Chapel and Parish Church of Liverpoole, hereby made a Distinct Parish in the Mayor and Aldermen for the time being, and such as have been Aldermen or Bayliffs Peers, and the Common Council for the time being of the said Corporation of Liverpoole: Be it further Enacted by the Authority aforesaid, That in Case the said Mayor, Aldermen and Council of Liverpoole, and the said Lord Viscount Mulleneux, his Heirs or Assigns, cannot Agree upon what Sum of Money shall be Paid for the same, within Six Months after the said Four and twentieth Day of June, One thousand six hundred ninety and nine, That in such Case the Sheriff of the County Palatine of Lancaster, shall, by Virtue of this Act, and he is hereby Required, before the Five and twentieth Day of March, One thousand and seven hundred, to Impanel a Jury of Substantial Freeholders of the said County, at such Time or Place as he shall Appoint, to which Jury the said Parties are to have their Legal Challenges; Which Jury, upon their Oaths, to be Administred by the said Sheriff, as also upon the Oaths of such Persons as shall be Examined before the said Sheriff, which Oaths the said Sheriff is hereby Impowred to Administer, shall Assess such Damages and Recompence as they shall think fit to be Awarded to the said Lord Viscount Mulleneux,

Mulleneux, his Heirs and Assigns, for and in respect of the making Liverpoole a Distinct Parish, and Vesting the said Presentation in the Mayor and Aldermen for the time being, and such as have been Aldermen, or Bayliffs Peers, and the Common Council for the time being of the said Corporation; And the said Sum so to be Assessed by the said Jury, being Paid, or Tended to be Paid to the said Lord Viscount Mulleneux, his Heirs or Assigns, at the now Mansion House of the said Lord Viscount Mulleneux, shall be in full Satisfaction for the same.

Matth. Johnson,  
*Cleric' Parliamentor'*

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